

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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GOVERNMENT EMPLOYEES INSURANCE
COMPANY, et al.,

Plaintiffs,

-against-

SUKDEB DATTA, M.D. et al.,

Defendants.
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22-cv-10531 (OTW)

**OPINION & ORDER ON
RECONSIDERATION**

ONA T. WANG, United States Magistrate Judge:

The Court is in receipt of ECF 195. For the following reasons, the parties' motion for reconsideration is **GRANTED**.

This case was assigned to me for all purposes on October 4, 2024. (ECF Nos. 101, 104). On March 19, 2025, Plaintiffs were granted leave to amend their complaint to add Arthur Kostanian, Sergey Denevich, and Skazka LLC as Defendants (the "Skazka Defendants"). (ECF 139). In the parties' Amended Rule 26(f) Report, the Skazka Defendants stated that they explicitly did not consent to magistrate judge jurisdiction. (ECF 172). On June 3, 2025, the Court issued an Order to Show Cause why the assignment to me should not be vacated, and the case returned to the District Judge. (ECF 176). The parties all timely responded, on June 4, 2025. (ECF Nos. 178, 179, 180, 181). The Skazka Defendants' response confirmed, again, that they did not consent to magistrate judge jurisdiction. (ECF 179). Accordingly, on June 6, 2025, I issued a Report and Recommendation to Judge Rearden, recommending that she: (1) vacate

the assignment of this case to me; (2) set a trial date; and (3) refer the case to me for general pretrial management consistent with the trial date set. (ECF 183).

On June 19, 2025, Plaintiffs voluntarily dismissed all claims in this action against the Skazka Defendants. (See ECF Nos. 188, 192). On June 30, 2025, I directed the remaining parties—who had all previously consented to my jurisdiction for all purposes—to file any motion for reconsideration of my June 6 Report and Recommendation by July 7, 2025. (ECF 194). On July 3, 2025, the remaining parties filed a joint motion for reconsideration, in which they note that, now that the claims against the Skazka Defendants have been dismissed, all parties to the case have consented to my jurisdiction. (ECF 195).

“A motion for reconsideration should be granted only if the movant identifies an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice.” *Kolel Beth Yechiel Mechil of Tartikov, Inc. v. YLL Irrevocable Tr.*, 729 F.3d 99, 104 (2d Cir. 2013) (citing *Spin Master Ltd. v. 158*, 18-CV-1774 (LJL), 2020 WL 5350541, at *1 (S.D.N.Y. 2020)) (internal quotation marks omitted). Since June 6, the parties have indeed provided new evidence that militates in favor of reconsideration of my Report and Recommendation—namely, that the parties who did not consent to my jurisdiction are now no longer parties to this case. (See ECF Nos. 188, 192, 195).

Accordingly, the parties’ joint motion for reconsideration of my Report and Recommendation is **GRANTED**, and my recommendation that the case be reassigned to Judge Rearden is vacated. Moreover, I find that the parties have shown cause why this case should not be reassigned to Judge Rearden, and deem the Court’s June 3 Order to Show Cause satisfied.

The Clerk of Court is respectfully directed to close ECF 195.

SO ORDERED.

Dated: July 16, 2025
New York, New York

s/ Ona T. Wang
Ona T. Wang
United States Magistrate Judge